

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STAT EMERGENCY MEDICAL
SERVICE, INC.,

Plaintiff,

vs.

SAGINAW VALLEY MEDICAL
CONTROL AUTHORITY, et al.,

Defendants.

Case No. 13-CV-14960

HON. GEORGE CARAM STEEH

ORDER STRIKING DEFENDANTS' MOTIONS FOR
SUMMARY JUDGMENT [DOC. 66, 67, 68, 69, 70, 71 and 72]

Presently before the court are seven motions for summary judgment regarding immunity filed by defendants Joshua Salander, Eric Snidersich, Edward Bruff, Noel Wagner, Jean Anthony, Rick Ohle and Saginaw Valley Medical Control Authority. Defendants' motions fail to comply with the court's scheduling order which, after being extended four times, provided for a dispositive motion cut-off date of April 29, 2016. Defendants filed a joint motion for summary judgment before the cut-off date, on January 22, 2016. That motion has been resolved and a bench trial is scheduled for January 4, 2017. No further dispositive motions may be filed without leave of court. Defendants did not seek leave before filing their motions.

While the court does not require any further reason to strike defendants' improperly filed motions, defendants have given the court two other grounds to do so. First, the court's scheduling order, as well as the Local Rules, provides that "[a] party must obtain leave of court to file more than one motion for summary judgment." Scheduling Order, Section IV

(D); Local Rule 7.1(b)(2). Defendants did not seek leave to file seven separate motions for summary judgment following their previous (timely) motion for summary judgment. Second, Local Rule 7.1(a) requires a movant to obtain concurrence prior to filing a motion, and sets forth a procedure to be followed when if concurrence is not obtained:

- (2) If concurrence is not obtained, the motion or request must state:
 - (A) there was a conference between attorneys or unrepresented parties and other persons entitled to be heard on the motion in which the movant explained the nature of the motion or request and its legal basis and requested but did not obtain concurrence in the relief sought; or
 - (B) despite reasonable efforts specified in the motion or request, the movant was unable to conduct a conference.

None of the seven motions for summary judgment contain a statement regarding concurrence. Now, therefore,

IT IS HEREBY ORDERED that defendants' motions for summary judgment regarding immunity are STRICKEN.

SO ORDERED.

Dated: October 25, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 25, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk